

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 16, 2002

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01 p.m., Tuesday, April 16, 2002, in the Board Room, York Hall, by Chairman Donald E. Wiggins.

Attendance. The following members of the Board of Supervisors were present: Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Walter C. Zaremba and Sheila S. Noll were absent.

Also in attendance was James E. Barnett, County Attorney.

James O. McReynolds, County Administrator, was absent.

Invocation. Pastor Walter C. Johnson from Zion Prospect Baptist Church gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Mr. Burgett led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. John Mazur, Assistant Resident Engineer, Virginia Department of Transportation, (VDOT), appeared to discuss highway matters of interest to the Board of Supervisors. He reported that the crack, seal and overlay project on Route 17 would be finished within a week or so.

Mr. Burgett asked about the possibility of installing a stop sign at the Yorktown and Big Bethel Road intersection near the entrance/exit to Tabb High School. He noted the ditch and drainage problems at Barcroft and Somerset Drive. He also asked about the lack of paving at the Bruton Glen subdivision near Colonial Drive and Shepperd Drive.

Mr. Mazur stated he would check on Mr. Burgett's concerns.

Mr. Shepperd inquired about the update to the paving schedule.

Mr. Mazur stated the contract for the paving schedule was slated to begin anytime now.

Mr. Shepperd discussed drainage problems and potholes in the Mill Crossing area. He stated the County needed some assistance in correcting the drainage problems that will eventually cause mosquito problems. He reported concerns of the citizens in the Cary's Chapel Road area regarding the road widening and the barrier placed near the cemetery during the road work. He asked to meet Mr. Mazur on Cary's Chapel Road to discuss the citizens' concerns.

Chairman Wiggins thanked Mr. Mazur for the speed limit signs in the Victory Industrial Park. He reported on his meeting with the Secretary of Transportation concerning York County transportation projects and on VDOT's commitment to develop a realistic six-year plan. He noted the money previously earmarked for widening the northern end of Route 17 would now, if approved, be used for the southern end of Route 17.

PRESENTATIONS

ANNUAL VOLUNTEER REPORT AND OUTSTANDING VOLUNTEER AWARDS

Mr. Rick Smethurst, Recreation Supervisor, displayed a video presentation on the 2001 York County Volunteer Report. He noted the report included data on over 2,347 volunteers who provided York County with 97,835 hours of service. He stated the combined volunteer hours given, along with the monetary and in-kind donations, represented \$1,747,400. He then introduced the following seven individuals and three groups as the recipients of the 2001 Outstanding Volunteer Awards, and Chairman Wiggins presented them with engraved plates and certificates recognizing their accomplishments:

<u>Volunteer</u>	<u>Nominating Department and Volunteer Position</u>
Eleanor K. Gregory	Department of Community Services/Volunteer Court Monitor
James Jackson, III	Department of Community Services/Teen Volunteer
Norma B. Jackson	Department of Environmental and Development Services/ Beautification Committee
Janet Z. Ledebuhr	Virginia Cooperative Extension/Master Gardener
Brian L. Taminger	Department of Environmental and Development Services/ Volunteer Mosquito Monitor
Jeanne B. Themides	York County Sheriff's Office/D.A.R.E. Volunteer
Kenneth Thompson	Department of Fire & Life Safety/Volunteer Firefighter
Friends of the York County Public Library	York County Public Library/Library Support Group
Grafton High School Honor Society	Department of Community Services/Head Start Program
York County Historical Committee	Department of Community Services/Board Appointed Commission

A posthumous award in honor of volunteer Marge Funk was received by her husband Jim Funk and family, and a short video followed the presentation depicting Mrs. Funk's long-standing volunteer involvement with the County.

CITIZENS COMMENT PERIOD

Mr. Eric Kidwell, 109 Larkin Run, president of the York County Little League, appeared before the Board to invite the citizens of the County to its "Hometown Hero Celebration" which will be held at Bailey Field on May 4th at noon. He explained it was an international initiative that would honor the local firefighters, paramedics, deputies, members of the military, and teachers.

Mr. Frank Mayhew, 103 Resolution Drive, voiced his concerns over the parking of tractor trailers in the York Crossing section of the County. He addressed the safety of the neighborhood children in the area due to commercial vehicles parked on the streets.

Mr. George Brooks, 103 Sylvia Drive, appeared to voice his concern over the County's permit process which allows boathouses to be built on the waterways. He requested the County send a representative to the Virginia Marine Resources Commission hearing on the boathouse proposed by his neighbor and encouraged the County to limit such buildings. He then presented pictures to the Board depicting views of the waterway from his backyard.

Ms. Mary Steed Ewell, 105 Sylvia Drive, a resident concerned over construction of boathouses, encouraged the Board to limit construction of boathouses in the County and asked the Board to further investigate the matter.

Mr. Randolph Herman, 100 Sylvia Drive, added his concerns on the construction of boat-houses. He felt that once the boathouses were built, the value of residents' homes would go down, and that would not be in the best interest of the citizens. He stated it would cause an overall decrease in the value of real estate in the County.

Mr. W. M. Pierce, 101 Woodhaven Drive, stated he had four piers on each side of his property and compared his view now to the view he would have if each one of those piers had a boat-house.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. James Barnett, County Attorney, reported on Senate Bill 592 that would add a \$5 per ton tipping fee to all solid waste disposed in Virginia landfills. He stated that local governments are opposed to this fee and that staff had contacted the County's legislative delegation to express opposition to the bill.

Mr. John Hudgins, Director of Environmental and Development Services, stated he felt this action occurred as a result of Pennsylvania raising its tipping fee.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Mark Carter, Assistant to the County Administrator, updated the Board on the Parking Ordinance and stated that staff was continuing to work with VDOT to establish a No Parking Ordinance for commercial vehicles. He mentioned the quilt show that is being held in York Hall's Gallery, sponsored by the Celebrate Yorktown Committee, and he reported that approximately 400 people had visited the exhibit. He announced that the Department of Fire and Life Safety had implemented the E-911 cellular telephone service allowing them to pinpoint the location of calls from cellular phones. It is the first use of such a program in Virginia, and the first use of some new technology in the country.

Meeting Recessed. At 8:00 p.m. Chairman Wiggins declared a short recess.

Meeting Reconvened. At 8:09 p.m. the meeting was reconvened in open session by order of the Chair.

PUBLIC HEARINGS

LEASE AGREEMENT: CHILD DEVELOPMENT RESOURCES, INC.

Mr. Carter made a presentation on proposed Resolution R02-65 to authorize the execution of a lease agreement with Child Development Resources, Inc. (CDR), for the operation of an early childhood care and developmental service in the Griffin-Yeates Building.

Mr. Shepperd asked why there were 21 children on the waiting list for the program.

Mrs. Smith explained it was due to space and staff ratios and that staff had taken steps to drastically reduce that amount.

Chairman Wiggins called to order a public hearing on proposed Resolution R02-65 which was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOP-
MENT RESOURCES, INC., A NONPROFIT VIRGINIA CORPORA-
TION, FOR THE OPERATION OF AN EARLY CHILDHOOD CARE
AND DEVELOPMENTAL SERVICE IN THE GRIFFIN-YEATES
BUILDING LOCATED ON GOVERNMENT ROAD

There being no one present who wished to speak concerning the subject Resolution, Chairman Wiggins closed the public hearing.

Mr. Burgett then moved the adoption of proposed Resolution R02-65 which reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOP-
MENT RESOURCES, INC., A NONPROFIT VIRGINIA CORPORA-
TION, FOR THE OPERATION OF AN EARLY CHILDHOOD CARE
AND DEVELOPMENTAL SERVICE IN THE GRIFFIN-YEATES
BUILDING LOCATED ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia corporation, has provided such services by operation of a program, called First Steps; and

WHEREAS, the County desires to lease approximately 2,500 square feet of classroom and office space identified as Tenant Rooms 10, 12, 13, and 15, within the Griffin-Yeates Building located at 1490 Government Road, which is a building owned by the County of York, by the execution of a lease agreement for a term of one year; and

WHEREAS, a public hearing on the proposed lease agreement, as required under the Code of Virginia, has been properly advertised and conducted on April 16, 2002;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, that the County Administrator be, and he is hereby, authorized to execute an agreement, approved as to form by the County Attorney, with Child Development Resources, Inc., to provide the lease of approximately twenty-five hundred (2,500) square feet identified as Tenant Rooms 10, 12, 13, and 15, Griffin-Yeates Building, along with the right to use certain common areas of the building and grounds, for the operation of the First Steps program for the term July 1, 2002, until June 30, 2003, and for up to four (4) one-year renewals thereafter, and in consideration of the sum of one dollar (\$1.00) for each one-year term.

On roll call the vote was:

Yea: (3) Burgett, Shepperd, Wiggins,
Nay: (0)

VIRGINIA ENERGY PURCHASING GOVERNMENTAL ASSOCIATION (VEPGA)

Mr. Carter made a presentation on proposed Ordinance No. 02-5 to approve the County's membership in the Virginia Energy Purchasing Governmental Association and to authorize execution of the joint powers agreement.

Mr. Shepperd stated he had a few concerns with the formality of this approach and how binding it might be on the County. He asked if this was electricity for the government.

Mr. Robert Peters, Department of General Services, stated this was the provision of electricity for County facilities and streetlights in the County. He explained there would be a number of vendors, and that prices could fluctuate at any time, which would make the whole negotiation process much more complex when it is conducted.

Mr. Shepperd remarked that it seemed it would cost the County more to enter into a formal agreement.

Mr. Peters explained the increase was due to anticipated budget increases for running the negotiation process.

Discussion ensued regarding the provision of electricity to governmental entities.

Chairman Wiggins called to order a public hearing on proposed Ordinance No. 02-5 which was duly advertised as required by law and is entitled:

AN ORDINANCE TO APPROVE THE COUNTY'S MEMBERSHIP IN
THE VIRGINIA ENERGY PURCHASING GOVERNMENTAL ASSO-
CIATION (VEPGA) AND TO AUTHORIZE EXECUTION OF THE
JOINT POWERS AGREEMENT

There being no one present who wished to speak concerning the subject ordinance, Chairman Wiggins closed the public hearing.

Mr. Burgett then moved the adoption of proposed Ordinance No. 02-5 which reads:

AN ORDINANCE TO APPROVE THE COUNTY'S MEMBERSHIP IN
THE VIRGINIA ENERGY PURCHASING GOVERNMENTAL ASSO-
CIATION (VEPGA) AND TO AUTHORIZE EXECUTION OF THE
JOINT POWERS AGREEMENT

WHEREAS, the VML/VACo Virginia Power Steering Committee (the "Committee"), composed of representatives of the County of York and other local governments and political subdivisions of the Commonwealth, has for over several decades negotiated on behalf of such governmental units a standard form contract for their purchase of electricity supply and delivery service from Virginia Electric and Power Company ("Virginia Power") as a sole source provider; and

WHEREAS, political subdivisions of the Commonwealth of Virginia are authorized under Virginia law to exercise jointly powers they otherwise are authorized to exercise independently, and the terms and conditions of such authorization are currently set forth in Sections 15.2-1300, et seq. of the Virginia Code (the "Joint Powers Act"); and

WHEREAS, the Virginia Electric Utility Restructuring Act (the "Restructuring Act") further authorizes municipalities and other political subdivisions in the Commonwealth to aggregate their electricity supply requirements for the purpose of their joint purchase of such requirements from licensed suppliers, and the Restructuring Act provides that such aggregation shall not require licensure; and

WHEREAS, the Virginia Public Procurement Act (the "Procurement Act") exempts from its competitive sealed bidding and competitive negotiation requirements (the "Requirements") the joint procurement by public bodies, utilizing competitive principles, of electric utility services purchased through member associations under the conditions set forth in the Procurement Act; and

WHEREAS, the Committee recommends that the aggregation and procurement of electric supply, electric delivery, and other energy-related services ("Energy Services") be effectuated as provided in the Joint Powers Association Agreement, a copy of which is attached to the County Administrator's report to the Board of Supervisors dated April 4, 2002, and made part of this ordinance by reference (the "Joint Powers Agreement"), in accordance with applicable provisions of the Procurement Act, such as the utilization of competitive principles pursuant to an exemption from the Requirements; and

WHEREAS, the Committee also recommends that the other services provided by the Committee to its members be effectuated as provided in the Joint Powers Agreement, with such services consisting of (i) assistance in implementing standard form contracts for the purchase of services from incumbent electricity utilities, (ii) education of members regarding electricity procurement issues, (iii) monitoring of legal and regulatory developments affecting the provision of electricity service to local governments, and (iv) hiring of consultants and legal counsel to assist in its provisions of the foregoing services ("Steering Committee Services"); and

WHEREAS, it appearing to the Board of Supervisors of the County of York that the joint procurement of the Energy Services pursuant to the Joint Powers Agreement and the provision of Steering Committee Services pursuant to the Joint Powers Agreement is otherwise in the

best interests of County of York;

NOW, THEREFORE, BE IT HEREBY ORDAINED THAT:

(1) Competitive sealed bidding and competitive negotiation for the procurement of Energy Services are not fiscally advantageous to the public because the procurement process for Energy Services must be flexible enough to respond quickly to changing market conditions in which energy prices can fluctuate considerably on a daily or even hourly basis.

(2) The aggregation and joint procurement of the Energy Services pursuant to the Joint Powers Agreement is hereby approved.

(3) The provision of Steering Committee Services pursuant to the Joint Powers Agreement is hereby approved.

(4) The Joint Powers Agreement and the performance of the terms and conditions thereof on behalf of the County of York are hereby authorized and approved.

(5) The County Administrator is hereby authorized and directed to execute and deliver the Joint Powers Agreement on behalf of the County of York in substantially the form presented to this meeting.

(6) The payment obligations of the County of York pursuant to the provisions hereof and the Joint Powers Agreement shall be subject to annual appropriation of requisite funds therefore by the Board of Supervisors.

(7) This Ordinance shall take effect immediately upon its adoption or passage.

On roll call the vote was:

Yea: (3) Shepperd, Burgett, Wiggins,
Nay: (0)

MATTERS PRESENTED BY THE BOARD

Mr. Burgett stated he was delighted to have the quilt show which is sponsored by the Celebrate Yorktown Committee. He attended the first Base Reduction and Closure Committee Meeting and noted the importance of keeping the military bases open in this area. He also attended the Zweibrücken Farewell Dinner for the students and stated the Historical Committee did an excellent job hosting the dinner. He noted that the Board was still trying to amend the County's Parking Ordinance, and he hoped to have it in place by July 1st. He mentioned The World Church of the Creator, a White Supremist group, that is scheduled to meet on May 4th at the Tabb Library. He stated the group could not be denied the right to meet. He encouraged the citizens not to attend the meeting and stated the library would be closed for maintenance at that time. He announced that there would be an overwhelming police presence for protection and encouraged the citizens to attend other functions in the County that day.

Mr. Shepperd expressed his pleasure with the County's volunteers and the amount of money saved because of their services. He also encouraged citizens to attend the other activities offered to them on Saturday rather than attending The World Church of the Creator event. He mentioned other events as an alternative, including the York County Little League and the NAACP gala, which would occur on the same day. He thanked the citizens who picked up the trash on Route 134 and encouraged the homeowner's associations to get involved in the trash clean-up. He mentioned Mr. Brooks' concerns over boathouses, and stated he will ask the planning staff to address the boathouse issue and draft some land management guidelines and possible amendments to the Zoning Ordinance.

Chairman Wiggins agreed with Mr. Burgett's statement that any group has the right to use the library, and that if one group was allowed, all groups would have to be allowed. He stated

those types of groups get their attention through publicity and through those protesting the group. He encouraged citizens to not appear at the library.

CONSENT CALENDAR

Mr. Shepperd asked Item No. 4 be removed from the Consent Calendar.

Mr. Burgett asked that Item No. 5 be removed from the Consent Calendar.

Mr. Burgett moved that the Consent Calendar be approved as amended, Item Nos. 3, 6, 7 and 8, respectively.

On roll call the vote was:

Yea: (3) Burgett, Shepperd, Wiggins
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

March 19, 2002, Regular Meeting
March 21, 2002, Adjourned Meeting

Item No. 6. TRANSPORTATION AGREEMENT/CDR FIRST STEPS PROGRAM: Resolution R02-62.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE YORK COUNTY
SCHOOL BOARD FOR TRANSPORTATION OF CHILDREN PAR-
TICIPATING IN THE FIRST STEPS PROGRAM

WHEREAS, the York County Board of Supervisors has a support agreement with the Child Development Resources, Inc., (CDR) for operation of the "First Steps" program, an early childhood educational and developmental program that is implemented at the Griffin-Yeates Center for children between the ages of 6 weeks and 3 years; and

WHEREAS, according to the terms of the support agreement and for the safety of the children involved, the Board has agreed to arrange with the York County School Board to provide bus transportation for enrolled children between home and the Griffin-Yeates Center for children; and

WHEREAS, costs for such transportation are the responsibility of CDR, Inc., and do not represent additional financial support;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board an agreement with the York County School Board, substantially in the same form transmitted to the Board by report of the County Administrator dated March 25, 2002, including necessary amendments thereto, for the provision of transportation of children participating in the CDR, Inc., First Steps program; provided that such agreement and all such amendments shall be approved as to form by the County Attorney.

Item No. 7. TRANSPORTATION AGREEMENT/HEAD START PROGRAM AND PARKS AND RECREATION: Resolution R02-63.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE YORK COUNTY
SCHOOL BOARD FOR TRANSPORTATION OF CHILDREN PAR-
TICIPATING IN THE HEAD START PROGRAM AND PROGRAMS
OPERATED BY THE DIVISION OF PARKS AND RECREATION

WHEREAS, the York County Board of Supervisors operates a Head Start program for income eligible York County preschoolers and their families; and

WHEREAS, York County Board of Supervisors operates recreation programs for its citizens; and

WHEREAS, children are transported to and from County or School sites and the safest method of transportation is by school bus

NOW, THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board an agreement with the York County School Board, substantially in the same form transmitted to the Board by report of the County Administrator dated March 25, 2002, including necessary amendments thereto, for the provision of transportation of children participating in the Head Start and Parks and Recreation programs; provided that such agreement and all such amendments shall be approved as to form by the County Attorney.

Item No. 8. CHILD DEVELOPMENT RESOURCES, INC., SUPPORT AGREEMENT: Resolution R02-64.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A SUPPORT AGREEMENT WITH CHILD DEVELOPMENT
RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION,
PROVIDING \$158,972 IN ANNUAL FUNDING AND \$17,000 FOR
CAPITAL IMPROVEMENTS FOR THE OPERATION OF EARLY
CHILDHOOD CARE AND DEVELOPMENTAL SERVICE IN THE
GRIFFIN-YEATES CENTER LOCATED ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia corporation, has provided such services by operation of a program called First Steps;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, that the County Administrator be, and he is hereby, authorized to execute a Support Agreement approved as to form by the County Attorney with the Child Development Resources, Inc., for the operation of the First Steps program for the period July 1, 2002 until July 1, 2003.

Item No. 4: MOSQUITO CONTROL SERVICES FOR NAVAL WEAPONS STATION AND CHEATHAM ANNEX: Proposed Resolution R02-79 (Removed from the Consent Calendar)

Mr. Shepperd voiced his concerns over the County taking on one of the Navy's responsibilities, and the cost of such an operation.

Mr. Hudgins explained that this was done on a reimbursable basis, and that an evaluation would be made to determine the resources needed to control mosquitoes. He stated it was a great benefit to the surrounding communities and York County, and there would be no impact to the County's budget in this operation.

Mr. Shepperd then moved the adoption of proposed Resolution R02-79 which reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE NAVY TO PROVIDE MOSQUITO CONTROL SERVICES TO THE YORKTOWN NAVAL WEAPONS STATION AND CHEATHAM ANNEX ON A REIMBURSABLE BASIS

WHEREAS, the Navy has requested that York County provide mosquito control services for the areas located on the Naval Weapons Station and Cheatham Annex; and

WHEREAS, the Navy has agreed to reimburse the County for time and materials in performance of mosquito control services at the above described facilities;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2002, that the Board authorizes the County Administrator to execute an agreement with the Navy for the County to provide mosquito surveillance and control as needed and to be reimbursed for time and materials for such rendered services.

On roll call the vote was:

Yea: (3) Shepperd, Burgett, Wiggins,
Nay: (0)

Item No. 5. OUTSTANDING YOUTH AWARDS: Proposed Resolutions R02-74, R02-75, R02-76, and R02-77 (Removed from the Consent Calendar)

Mr. Burgett stated that as the Board's liaison to the Youth Commission he had the opportunity to take part in reviewing and selecting the Outstanding Youth Award recipients this year. He stated they were wonderful young people, and he was very pleased with all the deserving young citizens who would be honored.

Mr. Burgett then moved the adoption of proposed Resolutions R02-74, R92-75, R02-76, and R02-77 that read as follows:

Resolution R02-74:

A RESOLUTION TO COMMEND AND CONGRATULATE LYNN GANTT ON HIS SELECTION AS THE 2002 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Lynn Gantt was nominated and has been chosen by the Selection Committee to receive the 2002 Outstanding Youth of the Year Award for Community Service; and

WHEREAS, Lynn Gantt has demonstrated service to others by spending time to serve and entertain people in his community and beyond; and

WHEREAS, Lynn, a ninth grade student at York High School, is an active member of the Key Club through which he visited with residents in the York Convalescent Center to play bingo, collected funds for the UNICEF program, and volunteered several nights to help host a community Halloween party at Busch Gardens; and

WHEREAS, as a member York High's Spanish Club, Lynn also helped conduct a piñata demonstration for first graders at Yorktown Elementary School; and

WHEREAS, Lynn is a talented flute player who is remembered by his middle school band director as a "self starter who is always asking what he can do to help;" and

WHEREAS, as a member of the York High School Marching Band, Lynn attended a two week summer camp, practiced 10 hours a week after school during the fall, attended fall performances and competitions scheduled for most weekends during an eight-week period, and participated in concert band practices and performances over the winter and now in the spring; and

WHEREAS, his band director at York describes Lynn as being an "outstanding band member" who is well-organized, very disciplined, and punctual; and

WHEREAS, in spite of his very demanding scholastic club and band schedule, Lynn further uses his musical gifts to perform numerous hours of community service locally and out of state playing the fife with The Fifes and Drums of York Town, whose President nominated Lynn for this award; and

WHEREAS, The Fifes and Drums of York Town, or Corps for short, is an all volunteer group averaging approximately 60 members aged 9 – 19; and

WHEREAS, this group represents York County and Yorktown with much "pride and distinction" as they perform locally and out of state; and

WHEREAS, the Corps' schedule is extremely demanding, involving weekly two- hour rehearsals year around along with some 72 scheduled performances; and

WHEREAS, Lynn has distinguished himself as having the highest attendance record to activities among all high school students serving in the Senior Corps, only missing because of school-related functions and commitments; and

WHEREAS, Lynn has performed with the Corps in local parades and celebrations, including on the Fourth of July, Yorktown Day, and at the annual Christmas Tree Lighting Ceremony; and

WHEREAS, Lynn has also performed at the Governor's Mansion and in the State Senate Chambers, as well as at many other sites across the state; and

WHEREAS, Lynn has also represented the county at prestigious out of state locales such as the Smithsonian Institution, historic Mystic Seaport, Connecticut, and in Deep River, Connecticut, for the "Deep River Ancient Muster," the nation's largest gathering of fife and drum corps, with over 100 groups attending; and

WHEREAS, Lynn has distinguished himself in the Corps by frequently arriving early for rehearsals, by occasionally stepping forward in the absence of Senior Instructors to take charge of a performance, and by amassing over 450 hours a year in volunteer time with his Corps commitments alone; and

WHEREAS, Lynn's nominator sums up his contributions to the Corps in stating that "His leadership and dedication to excellence set the standard for his fellow members;" and

WHEREAS, this mature, responsible, and respectful young man is accorded the highest of praise from his middle school band director who succinctly describes Lynn's character and contributions to others by affirming that, "I hope my son turns out as good as Lynn;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2002, that Lynn Gantt be, and he is hereby, commended and congratulated for being selected as York County's 2002 Outstanding Youth of the Year for Community Service.

BE IT FURTHER RESOLVED that Lynn be extended the sincere appreciation of the Board of Supervisors for his giving spirit and commitment to volunteerism, as well as the Board's best wishes for a continued meaningful and rewarding life in giving of his time and talents to others.

Resolution R02-75:

A RESOLUTION TO COMMEND AND CONGRATULATE CHRISTINE WINNER ON HER SELECTION AS THE 2002 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMPASSION

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Christine Winner was nominated and has been chosen by the Selection Committee to receive the 2002 Outstanding Youth of the Year Award for Compassion; and

WHEREAS, Christine Winner typifies compassion in its truest sense, and is widely respected for her caring nature and for a sensitivity beyond her years in relating to the feelings and needs of others; and

WHEREAS, Christine has consistently used these God given gifts in reaching out to people of all ages and circumstances with moral and physical support, guidance, an attentive ear and a concerned heart; and

WHEREAS, this compassion for others is widely known and appreciated by her church family at Crooks Memorial United Methodist Church, whose minister nominated her for this recognition; and

WHEREAS, Christine possesses a special love and caring for elderly persons as evidenced by how she constantly seeks them out and naturally befriends them; and

WHEREAS, her minister affirms that, "Time and time again I have seen Christine go out of her way to speak (with) and hug an elderly person;" and

WHEREAS, this is clearly evidenced during the church's weekly family night suppers where Christine can usually be seen sitting with the older members of the church rather than with her friends in the youth group; and

WHEREAS, Christine routinely pays visits to older members of the church who have been ill or who are experiencing loneliness, once leaving a youth group meeting to visit one of her elderly friends who she learned had a broken foot; and

WHEREAS, Christine recently lent comfort and support by staying in the hospital until late in the night with church members whose grandson was seriously injured in a basketball game; and

WHEREAS, her sensitivity to the needs of others extends to people of all ages as evident from the times she often spends holding babies Sunday mornings to allow their parents the opportunity of sitting together during the church's worship service; and

WHEREAS, her volleyball coach at Grafton High School also attests to her character and impact on her peers by describing Christine as a "very positive and encouraging person," who nevertheless is unafraid "to stand up for her beliefs and what she thinks is right;" and

WHEREAS, Christine is also dedicated to becoming involved in the lives of those less fortunate than herself and who live beyond the confines of the familiar surroundings of her church and community; and

WHEREAS, this is evidenced by her participation in the Samaritan's Purse Christmas gift shoebox program for children living in poor and often war-torn countries; and

WHEREAS, this desire to help the disadvantaged has led her to become involved with the Appalachian Service Project in which she will join other youths and adults this summer performing home repairs in depressed rural mountain areas; and

WHEREAS, she is also an active participant whenever her church staffs a homeless shelter ministry in Newport News, where she not only fulfills her responsibility of serving meals, but again reaches beyond herself to serve the soul food of personal attention and compassion, freely interacting with the guests and spreading joy by reading to them or by playing checkers and cards with them; and

WHEREAS, through her humble, unassuming manner, and lack of self-consciousness Christine seems to easily clear barriers that usually isolate people so that she can freely lend friendship, understanding, and support to all; and

WHEREAS, her pastor sums up this remarkable person by affirming that Christine "amazes me about her concern and her asking about people who are listed on our prayer list. She has a heart that is open to all people of all ages...always willing to listen to others who are going through hard times and...who need to spend time with someone who cares. Christine lives her life with compassion;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2002, that Christine Winner be, and she is hereby, commended and congratulated for being selected as York County's 2002 Outstanding Youth of the Year for Compassion.

BE IT FURTHER RESOLVED that Christine be extended the best wishes of the Board of Supervisors as she continues to live a life of exemplary love and concern for others, and may she take great encouragement in knowing that all who come in contact with her truly appreciate her selfless acts of kindness and that our world is a better place because she is with us.

Resolution R02-76:

A RESOLUTION TO COMMEND AND CONGRATULATE JENNIFER TONNESON ON HER SELECTION AS THE 2002 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR OVERALL ACHIEVEMENT

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Jennifer Tonneson was nominated and has been chosen by the Selection Committee to receive the 2002 Outstanding Youth of the Year Award for Overall Achievement; and

WHEREAS, Jennifer Tonneson epitomizes excellence and the highest caliber of achievement with her outstanding accomplishments and superior performance in a wide variety of endeavors; and

WHEREAS, Jennifer, or Jennie as she is known to her teachers and friends, excels at using her considerable talents to the utmost, intent on doing her best in all that she undertakes; and

WHEREAS, Jennie's *academic* achievements are demonstrated by her advanced course work in Tabb High School's first graduating Honors Program class, her 4.4 grade point average, her standing as the third highest ranked student in Tabb's senior class, her being named a National Merit Commended Scholar, and by her membership in the National Honor Society, Mu Alpha Theta Mathematics Honor Society, and the Spanish Honor Society; and

WHEREAS, Jennie's considerable *athletic* achievements are also exceptionally noteworthy, as demonstrated by her four year participation in volleyball where she played at the varsity level the past two years, by her three years as a starter for the varsity basketball team where she was named All District Honorable Mention the past two years, and also by her national caliber status in soccer where she has excelled on Tabb's varsity team the past four years, was named 1st Team All District and 1st Team All Region ever since her freshman year, and was selected to the All State team last year as a junior; and

WHEREAS, Jennie's considerable *leadership* and *service* achievements include her selection to Girl's State, serving as Secretary of the Spanish Honor Society as a junior and as President this year, serving as a Senior Class SCA Representative, being named a co-captain of the soccer team as a junior, and captaining both the volleyball and soccer teams this year, volunteering her time at an area adult day care facility, and actively participating in Gloria Dei Lutheran Church's Order of the Cross and Crown youth worship team; and

WHEREAS, in addition to all of these exemplary achievements and time consuming scholastic and church related pursuits, Jennie has somehow managed to find enough "spare time" to participate and excel as a member of the nationally ranked "PWSI Sparklers" club soccer team based in Prince William County, a commitment involving daily practices in Northern Virginia during the first half of the school year as well as weekend games and tournaments in the Baltimore/Washington area and throughout the east coast; and

WHEREAS, her dedication to all commitments caused her nominator and varsity basketball coach to exclaim that, "Eighty-hour weeks are nothing unusual for Jennie," who during the fall basketball and winter volleyball seasons would routinely practice after school for two hours and then ride with one of her parents to Northern Virginia, practice soccer for two more hours, and then return home, studying for her full load of demanding courses while on the road; and

WHEREAS, Jennie has honed her talent in soccer to a level where she was recruited by Dartmouth College to play there next fall; and

WHEREAS, Jennie's noteworthy achievements and success in life are surpassed only by her *character*, which has remained unspoiled, earning her widespread respect for her quietness and humble demeanor, and leading her soccer coach at Tabb to remark that, "no one would ever know she is a nationally ranked player headed to Dartmouth;" and

WHEREAS, her minister also testifies to Jennie's humility and "quiet leadership," remarking that she is "gifted in a lot of ways, but doesn't have a need to be noticed; she is noticed just by being herself," and that she possesses a "quiet strength about her that really shines through," and "a solidness you can count on;" and

WHEREAS, Jennie is highly respected by her teachers for her participation, cooperation, and for so willingly taking the time to lend assistance to any classmates who might be struggling to understand certain material; and

WHEREAS, her character is also summed up by her nominator in relating that, "I have never heard her complain or make an excuse in four years. Jennie simply gives her best – every time, in every situation. I know that I am involved with a very special young person when I am inspired to do my job better because of her. The mark of a truly outstanding individual is her ability to raise the performance of those around her to a higher level. Jennie Tonneson has that effect on people;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2002, that Jennifer Tonneson be, and she is hereby, commended and congratulated for being selected as York County's 2002 Outstanding Youth of the Year for Overall Achievement.

BE IT FURTHER RESOLVED that Jennie be extended the heartfelt appreciation of the Board of Supervisors for her outstanding example as a student athlete and invaluable role model to the youth of our community, and that the Board's best wishes go with her as she continues to serve and so profoundly influence others.

Resolution R02-77:

A RESOLUTION TO COMMEND AND CONGRATULATE BOBBIE
JEAN ROBERTSON ON HER SELECTION AS THE 2002 YORK
COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COURAGE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Bobbie Jean Robertson was nominated and has been chosen by the Selection Committee to receive the 2002 Outstanding Youth of the Year Award for Courage; and

WHEREAS, Bobbie exemplifies the meaning of the word courage, having persevered through heartbreaking sadness to excel as a student and as a person; and

WHEREAS, Bobbie grew up as an only child with her single-parent mother, and the two of them moved often, requiring Bobbie to frequently experience the painful uprooting from schools and friends; and

WHEREAS, Bobbie's mother was stricken with ill health for many years, and an especially close bond was forged between them as Bobbie lovingly served her mom as her only daughter, constant companion, and friend; and

WHEREAS, Bobbie suffered the painful loss of her mother during her sophomore year in high school; and

WHEREAS, her mother's passing required Bobbie to move once again, this time on her own and in the middle of the school year as she left Kansas to live with her widowed maternal grandmother who was caring for her own ailing mother here in York County; and

WHEREAS, ever since arriving here, Bobbie has taken it upon herself to supplement the family resources through working nights and weekends at a local movie theater; and

WHEREAS, throughout this time Bobbie has given physical and emotional support to her beloved grandmother, and was there to comfort her during the recent passing of Bobbie's great-grandmother; and

WHEREAS, in spite of the difficulties and challenges that Bobbie has faced, she is greatly respected as a young woman who has set high goals for herself and works hard to achieve success; and

WHEREAS, this success is evidenced by her outstanding academic record in which she has earned over a 4.0 average in college preparatory work, been recognized as a National Merit Commended Scholar, and served as Vice President of Bruton High School's National Honor Society; and

WHEREAS, Bobbie has also somehow found time to become actively involved in a host of school activities, including the Model UN, the Green Club, participating in a mentorship program three times a week at a local elementary school, and serving in the Key Club, through which she has helped raise funds for underprivileged children and collected canned goods for the needy; and

WHEREAS, her Advanced Placement Art History teacher describes Bobbie as one of the most mature, responsible, and thoughtful students she has known in over 30 years of teaching, a person admired and loved by students and faculty alike, as someone who "loves to

learn" and possesses "strong fiber" as a person, who insists on doing the best she can do and not letting down in spite of the fact that she has an after-school job and is often still working on homework at 2:00 or 3:00 in the morning; and

WHEREAS, Bobbie is also described by her work supervisor of two years as being a faithful employee who was named an Assistant Manager as a 17-year old after just six months on the job, as someone possessing a commendable work ethic that always goes above and beyond what is required, who usually arrives early, works multiple positions, is always considerate of her fellow workers, and who has been able to help friends and coworkers through their own problems and grief, seemingly drawing from her past experience and God given strength, and the way she has of "setting aside her own needs to reach out and help others;" and

WHEREAS, Bobbie's nominator and guidance counselor at Bruton High School admirably states that, "What is so remarkable about Bobbie is that unless one knew her story, one would never know she had so many personal difficulties in her life. She is upbeat...polite, honest, and kind, and...inspires her peers to be their best regardless of any roadblocks which may interfere with their progress;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2002, that Bobbie Jean Robertson be, and she is hereby, congratulated and commended by the York County Board of Supervisors as York County's 2002 Outstanding Youth of the Year for Courage.

BE IT FURTHER RESOLVED that Bobbie be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Courage, that she be extended the sincere admiration and heartfelt appreciation of the Board of Supervisors for her tremendous inspiration and example to us all, and that the Board's best wishes go with her for a most rewarding and blessed life, and a future filled with continued triumph.

On roll call the vote was:

Yea: (3) Burgett, Shepperd, Wiggins
Nay: (0)

NEW BUSINESS

APPLICATION NO. YVA-12-02, JOHN AND TWYLA OPPENHUIZEN

Mr. Carter made a presentation on proposed Resolution R02-80 to approve the request of John and Twyla Oppenhuizen for the construction of an accessory garage and carport on property located at 108 Church Street in Yorktown. He stated that staff recommended approval of the application through the adoption of proposed Resolution R02-80.

Mr. Burgett asked if a kitchen or plumbing would be included in the construction.

Mr. Carter replied that the applicant had requested a small utility sink in the lower level of the garage to wash paintbrushes and such. He stated the applicant's intention for the second floor is for storage space only.

Mr. Shepperd asked why this application would not appear before the Planning Commission.

Mr. Carter stated that the ordinance required that it go before the Planning Commission only if it was a new use of the property; the request is basically an expansion of that single-family use of the property.

Mr. Shepperd then moved the adoption of proposed Resolution R02-80 that reads:

A RESOLUTION TO APPROVE THE REQUEST OF JOHN AND TWYLA OPPENHUIZEN FOR THE CONSTRUCTION OF AN AC-

CESSORY GARAGE AND CARPORT ON PROPERTY LOCATED AT
108 CHURCH STREET IN YORKTOWN

WHEREAS, John and Twyla Oppenhuizen have submitted an application requesting permission to construct an accessory garage and carport on property located at 108 Church Street in Yorktown; and

WHEREAS, pursuant to Section 24.1-327(b)(3) of the York County Zoning Ordinance, such requests may be approved by the Board of Supervisors by resolution; and

WHEREAS, the proposed garage's location and design are compatible with adjacent properties and structures.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, that the request of John and Twyla Oppenhuizen for the construction of an accessory garage and carport on property located at 108 Church Street, as described in the County Administrator's report to the Board dated March 29, 2002, be, and it is hereby, approved.

On roll call the vote was:

Yea: (3) Shepperd, Burgett, Wiggins,
Nay: (0)

CLOSED MEETING. At 8:58 p.m. Mr. Burgett moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; Section 2.2-3711(a)(7) pertaining to consultation with legal counsel.

On roll call the vote was:

Yea: (3) Burgett, Shepperd, Wiggins
Nay: (0)

Meeting Reconvened. At 9:10 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Burgett moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2002, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

April 16, 2002

On roll call the vote was:

Yea: (3) Shepperd, Burgett, Wiggins
Nay: (0)

Meeting Adjourned. At 9:11 p.m. Chairman Wiggins declared the meeting adjourned sine die.

James O. McReynolds, Clerk
York County Board of Supervisors

Donald E. Wiggins, Chairman
York County Board of Supervisors